

# **EXHIBIT 3**

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CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

MISDEMEANOR

-against-

Mark Jr McKinley (M 29),

Defendant.

Police Officer Kyle Crevatas, Shield #24662 of the Narcotics Borough Manhattan South, states as follows:

*The defendant is charged with:*

- |             |  |
|-------------|--|
| 1 PL 195.05 | Obstructing Governmental Administration in the<br>Second Degree<br>(defendant #1: 1 count) |
| 2 PL 205.30 | Resisting Arrest<br>(defendant #1: 1 count)  |

On or about March 27, 2018 at about 6:40 P.M., inside 64 Essex Street in the County and State of New York, the defendant intentionally prevented and attempted to prevent a public servant from performing an official function by intimidation, physical force and interference and by means of an independently unlawful act; the defendant intentionally attempted to prevent a police officer and peace officer from effecting an authorized arrest of himself and another person.

*The factual basis for these charges are as follows:*

I am informed by Undercover NYPD Police Officer 376 ("UC 376") that at the above described date and time at the above described location, UC 376 observed the defendant approach separately charged defendant, Yolanda Brown-Monaco (M18617863) and hand SCD Brown-Monaco a quantity of crack cocaine.

I am informed by UC 376 that he believes the substance was in fact crack cocaine based upon his professional training as a police officer in the identification of drugs and an observation of the packaging, which is characteristic of this type of drug.

I am further informed by UC 376 that he observed the two separately charged defendants leave the above described location while the defendant remained in the above described location.

I am informed by Police Officer Edgar Garcia, Shield 3118 of the Narcotics

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2018NY015310



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CRIMINAL COURT OF THE CITY OF NEW YORK  
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MISDEMEANOR

-against-

Mark Jr McKinley (M 29),

Defendant.

Borough Manhattan South, that he and Detective Logan Payano, Shield 28 of the Narcotics Borough Manhattan South, approached the defendant and identified themselves as NYPD.

I am further informed by Officer Garcia that the defendant then threw up his arms and began screaming. I am informed by Officer Garcia that the defendant clenched his arms across his chest and threw himself to the ground, pinning his arms beneath his body.

I am informed by Officer Garcia that the defendant continued screaming throughout his conduct, which spanned approximately three minutes. I am informed by Officer Garcia that the defendant's above described conduct made it difficult for Officer Garcia to place the defendant under arrest.

False statements made in this written instrument are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law, and as other crimes.

Police Officer Kyle Cervantes

Date

Time

2958036

**CRIMINAL COURT OF THE CITY OF NEW YORK  
PART C, COUNTY OF NEW YORK**

THE PEOPLE OF THE STATE OF NEW YORK

vs.

Mckinley, Mark Jr

Defendant(s)

SUPPORTING DEPOSITION  
C.P.L. §100.20

Docket No

2018NY015310

Adjourned Date 5/2/2018

I, Police Officer EDGAR GARCIA, Shield 03118 of the Narcotics Borough Manhattan South,  
being duly sworn, depose and say:

that I have read the Accusatory Instrument filed in the above-entitled action and attached hereto  
and that the facts therein stated to be on information furnished by me are true upon my personal  
knowledge.

*False statements made herein are punishable as a class A misdemeanor  
pursuant to section 210.45 of the penal law, and as other crimes.*

Signature

Date

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WASU Notifications

Fax: [REDACTED]

Jul 30 2018 04:36pm PD24/051

**CRIMINAL COURT OF THE CITY OF NEW YORK  
PART C, COUNTY OF NEW YORK****THE PEOPLE OF THE STATE OF NEW YORK**

vs.

Mckinley, Mark Jr

Defendant(s)

**SUPPORTING DEPOSITION  
C.P.L. §100.20**

Docket No

2018NY015310

Adjourned Date 8/2/2018

I, Unknown UNDERCOVER UNDERCOVER, Shield 376 of the  
Narcotics Borough Manhattan South, being duly sworn, depose and say:

that I have read the Accusatory Instrument filed in the above-entitled action and attached hereto  
and that the facts therein stated to be on information furnished by me are true upon my personal  
knowledge.

*False statements made herein are punishable as a class A misdemeanor  
pursuant to section 210.45 of the penal law, and as other crimes.*

Signature

Date

[Signature]

7/30/18